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COMMITTEE ON THE RIGHTS OF THE CHILD

Fifth session

SUMMARY RECORD OF THE 124th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 25 January 1994, at 3 p.m.

Chairperson: Mrs. BADRAN

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GE.94-15354 (E)

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (agenda item 4) (continued)

Initial report of Belarus (CRC/C/3/Add.14)

1. At the invitation of the Chairman, the Belarusian delegation, comprising Mrs. Sivolobova (Council of Ministers), Mrs. Drozd (Ministry of Foreign Affairs) and Mrs. Leonova, took places at the Committee table.

2. The CHAIRPERSON invited the Belarusian delegation to reply to the questions in the list of issues, CRC/C/5/WP.3, beginning with the sections entitled "General measures of implementation" and "Definition of the child", namely:

"General measures of implementation

(Arts. 4, 42 and 44, para. 6 of the Convention)

"1. Please provide information about the present status of the Rights of the Child Act which was passed by the Parliament of Belarus at its first reading in November 1992 (see para. 23 of the report). If the Act has been passed, please provide a copy of its text to the Committee, and indicate whether there have been amendments to other legislation as a consequence. Could you elaborate on how the legislation affecting children is being implemented in practice? What are the major constraints, and what measures have been envisaged to overcome them?

"2. Have any administrative rules been issued with a view to ensure the practical enforcement of the Rights of the Child Act?

"3. Are there any obstacles impeding the incorporation of the provisions of the Convention on the Rights of the Child in Belarusian law? (Para. 20 of the report).

"4. Please provide information about methods of monitoring and coordinating the efforts of State and public organizations in defence of the rights and interests of the child by the Ministry of Education of Belarus. Are there experts in all respective fields of child welfare available within the personnel staff of the Ministry of Education (para. 24 of the report)?

"5. Has the national initial report on the implementation of the Convention been published in the periodical press (para. 27 of the report)? Please provide more details about the process of preparing the report, in particular with regard to the involvement of non-governmental organizations.

"6. Has a National Plan of Action in the field of Child Rights been adopted?

"7. What steps are planned for creating widespread awareness of the Convention among the public at large and children?

"8. Have school curricula been adjusted to educate children about the Convention?

"9. What measures have been taken to train professional groups about the Convention?

"10. What is the status of the Convention in relation to national law? Can the provisions of the Convention be invoked in court?

"11. Please provide information on mechanisms for collecting statistical data and other necessary information about the status of children.

"12. Please indicate what proportion of the national budget is allocated to social priorities of children (centrally and locally).

"13. Could you elaborate on paragraph 85 of the report which refers to the need to have specific social protection measures and 'safety nets' for children during the period of transition and price liberation."

"Definition of the child"

(Art. 1 of the Convention)

"1. The report refers to 'earlier habituation to work ... seen essentially as a means of preserving the moral health of the rising generation' (para. 35 of the report). Please provide more detailed information on the application of article 21 of the Rights of the Child Act, in particular with respect to the notion of 'suitable employment' referred to in paragraph 34 of the report. How is it ensured that employment does not hinder the child's right to education?

"2. What is the distinction between the notions of 'child' and 'juvenile'?

"3. At what age may children seek redress in the courts if their rights had been infringed? Is there any alternative procedure to this effect (para. 17 of the report)?"

3. Mrs. SIVOLOBOVA (Belarus) said that her country ensured the well-being of families and children through the Rights of the Child Act, which was adopted by the Supreme Council on 19 November 1992 and entered into force on 14 December 1993. That task was especially difficult since the population was still suffering from the consequences of the Chernobyl accident. Legal machinery had been set up to implement the Convention (laws on education, family allowances, citizenship and social protection of the handicapped), and the Government was considering various draft laws on refugees, displaced persons, the status of refugee children and the reinsertion of minors.

4. Several paragraphs in the initial report of Belarus (CRC/C/3/Add.14) had lost their meaning due to the entry into force of various laws after the report had been drafted. Paragraphs 33 and 34 were no longer valid since the Labour Code now permitted a child to work from the age of 16 and, in exceptional cases, from the age of 14 with the authorization of his parents or guardians. With regard to paragraph 42, a child acquired Belarusian citizenship as soon as he had been given a name, but his nationality no longer had to be indicated. Concerning paragraph 48, article 135 of the Penal Code guaranteed respect for the privacy of correspondence.

5. Nevertheless, she acknowledged the existence of difficulties impeding the full implementation of the Convention. Apart from the aftermath of Chernobyl, social conditions were affected by the transition to a market economy; in addition, there was no organ responsible for coordination between the State and NGOs.

6. The CHAIRPERSON invited members of the Committee to put any questions they might have.

7. Mrs. SARDENBERG, referring to paragraph 5 of the initial report, asked for more information on the population of Belarus.

8. Mrs. SIVOLOBOVA replied she would provide that information at a later date.

9. Mr. HAMMARBERG said he would like the representative of Belarus to reply to questions 6, 11, 12, and 13.

10. Mr. MOMBESHORA asked the representative of Belarus to reply to question 9.

11. Mrs. SIVOLOBOVA (Belarus), replying to question 6, explained that a National Plan for the Protection of the Rights of the Child had been introduced; however, it had only recently been embarked upon and was therefore only in its initial stages.

12. With regard to question 9, the "Man and Society" school programme reflected the content of United Nations human rights conventions; other similar programmes that had not done so had been supplemented accordingly. In addition, the text of the Rights of the Child Act had been reproduced in periodicals and was also to be published in magazines for teachers and students at all levels, as well as for rehabilitation institutions.

13. Regarding questions 11, 12 and 13, the State Committee for Statistics and Analyses collected statistical data and other useful information on the situation of children. She also explained that it was for local bodies to allocate the resources required to organize summer camps for children (ARDEC). Because of price liberalization, the minimum wage was readjusted monthly and social benefits were geared to the minimum wage. In 1993, various decrees on social protection and working conditions had been adopted by the Council of Ministers, namely, Decree No. 277 of 4 May 1993, on the maintenance and development of preschool establishments; Decree No. 401 of 18 July 1993 on emergency measures for the financial recovery of businesses and the social

protection of the population; Decree No. 468 of 16 July 1993 on assistance to children in boarding homes; Decree No. 497 of 22 July 1993 on social protection and Decree No. 378 of 18 June 1993 on preparations for the International Year of the Family, etc. In addition, Decree No. 5 of 7 January 1993 had established the Belarusian Children's Fund, and Decree No. 77 of 17 February 1993 had set up the Social Assistance Fund for Belarusian Children and Adolescents.

14. Mr. HAMMARBERG asked what political, administrative and economic measures had been taken to meet the enormous difficulties presented by the transition to a market economy and the aftermath of the Chernobyl accident.

15. With regard to question 12 of the list of issues, as the Belarusian budget system made it difficult to provide figures on the amounts earmarked for social programmes, and as assistance at the local level was the responsibility of the local authorities, he would like to know whether the Belarusian Government had any mechanisms to determine the real situation of children, for example in rural areas, so that the necessary political measures could be adopted to improve their situation. In a crisis period, it was important to define national budget priorities. By attending to the most urgent things first, was Belarus not running the risk of mortgaging the future by not allocating sufficient resources to children? Did the Belarusian Government have any way of determining what the situation was at the local level, in order to provide budgetary guidelines?

16. With regard to question 6, he recalled that when Belarus had been a Soviet republic, it had taken part in the World Summit for Children and worked together with other countries to set various objectives in the areas of health and education. Had those objectives been met? Lastly, he would appreciate further information on the implementation programme for the new Rights of the Child Act and on its structure.

17. Mr. KOLOSOV said he would like to know how resources earmarked for children reached the most remote areas of Belarus. Moreover, what steps were taken to ensure that families actually spent the amounts in question on their children?

18. Mrs. EUFEMIO, referring to question 2, requested further information on the training of social workers who worked with children in need of psychological assistance for reinsertion into society. What measures were taken in that connection, and how many social workers were there in Belarus?

19. Mr. HAMMARBERG asked whether Belarus had requested international assistance in order to meet children's needs.

20. Mrs. LEONOVA (Belarus), replying to the question on the proportion of the national budget earmarked for the protection of children's rights, said that Belarus had a social protection fund, financed by businesses and the liberal professions, through which allowances were granted to families raising children. The allowances were calculated on the basis of the child's age: for a child up to 3 years of age the family could receive up to 120 per cent of the minimum wage, and for a child from 3 to 15 years of age, up to 70 per cent. The allowances were paid until the child reached the age of 18,

or even 23 if he continued his education. In the first nine months of 1993, 47,622,000,000 roubles had been paid to families. Families also enjoyed social protection by the State, which had paid out 6,543,000,000 roubles in family allowances during the same period.

21. Protection of the rights of the child was guaranteed by the Constitution and various laws, such as the Act on the General Principles of State Youth Policy. A government agency was responsible for protecting the rights of the child, its main element being the Executive Committee of Local Guardianship Councils. There were also commissions responsible for the affairs of minors, consisting of representatives of the Government and social agencies and of private individuals, who implemented the Government's policy for children, and especially adolescents with problems. When a child was found to be living in an unhealthy family environment, an inquiry was carried out and the parents could be deprived of their rights; the child was placed temporarily with a State agency and then in a foster family or home care establishment.

22. Mrs. SIVOLOBOVA (Belarus) explained that Belarus had a plan of action for the protection of the rights of the child, which had five objectives: to inform children, parents, teachers and society at large of the contents of laws; to amend existing laws and adopt new ones; to implement legislative provisions relating to children and society; to protect the rights of children in very difficult circumstances and to conduct scientific studies, organize conferences and hold symposia on such issues.

23. With regard to international assistance, Belarus was grateful to the countries that provided it with humanitarian aid. The Republic of Belarus desperately needed medicines, medical equipment, food and financial assistance and access to new technologies that would enable it to manufacture baby food, clothing and other products. In that connection, a large number of governmental social agencies had, for the past five to six years, been cooperating with foreign organizations.

24. Mr. HAMMARBERG said that, according to available statistics, the situation in Belarus appeared to be extremely serious; it was precisely when a country was in a difficult situation that children should be given even greater protection, for they were the first victims. In the circumstances, he would like to know how Belarus' political system worked, how functions were divided between the State and local bodies and how the State monitored what was done at the local level. He also asked how leaders and politicians reacted to the needs of children, and whether the authorities really took the issues considered by the Committee seriously and would study the recommendations that would be transmitted to them by the delegation of Belarus.

25. Mr. KOLOSOV said he had not received a reply to his question, and asked once again how the Belarus authorities monitored the way in which families spent the allowances they received for bringing up their children. On another matter, referring to paragraph 12 of the report (CRC/C/3/Add.14), he wondered whether the authorities were considering evacuating children from contaminated areas without their parents. The figures given in that paragraph were surprisingly high in his opinion.

26. Mrs. SIVOLOBOVA (Belarus) said it was out of the question to evacuate children from the contaminated areas without their families.

27. As for how families spent their children's allowances, there was no monitoring mechanism, and it was very difficult to check on the way in which assistance, whether financial, nutritional or other, was used. The Government had, however, asked local bodies to follow the situation more closely.

28. Mr. MOMBESHORA, referring to paragraph 12 of the initial report of Belarus, asked what proportion of the Republic's territory had been contaminated by the Chernobyl accident and whether a programme of action was being considered to reduce the effects of contamination. He would also like to know what the authors of the report meant in paragraph 20, when they compared the effects of the Second World War to those of the Chernobyl accident.

29. Mrs. SARDENBERG said that she would appreciate further information on the changes in the nature of prostitution mentioned in paragraph 14 of the report. She wondered whether the increase in the number of offences committed by minors, also mentioned in that paragraph, was due to the crisis or to the fact that such offences had not been recorded earlier.

30. Mrs. SIVOLOBOVA (Belarus) explained that at least 20 per cent of the territory of the Republic of Belarus had been contaminated during the Chernobyl accident and that the regions of Mogilev and Agilev had been the hardest hit. The radiation level was higher than normal in all regions of the Republic, with the exception of Vitebsk. Two plans of action were being implemented at the national level; one of them had been launched by the Soviet Union and had received ample funding at the time. When the Republic of Belarus had become a sovereign State it had had to deal with the consequences of the disaster by itself, and it now lacked resources.

31. Mrs. LEONOVA (Belarus), clarifying paragraph 14 of the report, said that the Republic of Belarus had had to face a number of very serious problems since its establishment. New laws had been adopted, such as the Education Act, the Act on the General Principles of State Youth Policy and the Act on State Allowances for Families Bringing Up Children, which demonstrated the importance the Government attached to youth; however, financial difficulties made it impossible, for example, to guarantee free primary education as in the past. Compulsory schooling lasted for nine years and ended in principle at the age of 15. Under article 173 of the Labour Code, children under 16 years of age were entitled to work only in exceptional circumstances and with the consent of their parents or guardians. The problem was that children who had completed their compulsory basic education could not always continue their studies, and since they were often under 16 years of age, they found it difficult to find enterprises willing to hire them. If such children were not living in a family environment that equipped them with a set of moral values, they would be prey to harmful influences. That explained the increase in the number of offences. As for child prostitution, she admitted that it was not covered by the legislation in force, for it had not previously been a social problem and specific measures would have to be taken to combat it. The draft penal code that had been prepared and submitted to the Supreme Council of the Republic for consideration increased the liability of parents and people

working with children. A new corpus delicti had been adopted, which made it possible, for example, to prosecute people responsible for the care of children in an educational establishment.

32. Mr. MOMBESHORA said he would appreciate a reply to his question about the comparison made in paragraph 20 of the report.

33. Mrs. SIVOLOBOVA (Belarus) said that 2.2 million inhabitants of Belarus, or one in four, had died during the Second World War, and that one person in five had been a victim of the Chernobyl accident. The point was not to compare the situations, but to show that both events had had terrible consequences for the Republic of Belarus. Each year the number of healthy children declined and there were more and more cancer-related diseases. Many families were afraid to have children and, for the first time since the war, the mortality rate had exceeded the birth rate. Yet the Chernobyl accident was not the only reason for the drop in the birth rate, which was also influenced by the economic situation.

34. Miss MASON, reverting to paragraph 20 of the initial report, said she wondered how the Government of the Republic of Belarus could authorize the registration of child prostitutes whereas in most countries child prostitution was prohibited by law. On another matter, noting that, according to the report, the ratification of the Convention had made changes in the legislation necessary, she wondered whether several of the laws listed in paragraph 22 should not also be amended, for most of them had been adopted before the change in the political and economic system. Lastly, she would like more information on the Act on the Social Protection of Invalids mentioned in that paragraph.

35. Mr. HAMMARBERG said that he too was surprised to read in paragraph 14 that under-age prostitutes were "registered", and requested the delegation of Belarus to explain that term. Did it mean that those minors had received authorization to continue to practise prostitution, or simply that they were known to the competent agencies, in which case, what were the authorities doing to prevent them from engaging in prostitution?

36. Mrs. LEONOVA (Belarus) said that child prostitution was new to Belarus. It was a matter within the competence of the authorities responsible for supervising the activities of minors and was covered by State policy on the defence and protection of children's interests. Inspectorates had been established within the Ministry of the Interior to supervise the activities of minors and do whatever was necessary to identify circumstances leading to juvenile delinquency. Steps were also being taken by the schools, social agencies and parents to re-educate children and adolescents and prepare them for reinsertion into everyday life and the world of work. If those measures proved to be insufficient, children were placed in specialized re-education centres.

37. A number of mandatory educational measures had been introduced for young offenders under 18 years of age. For example, they were required to make a public or other form of apology to the victim, while those over 15 years of age with a personal source of income were ordered to pay compensation or make good any material damage through their own labour; moreover, they could be

placed under the strict supervision of their parents or guardians, under the responsibility or supervision of a labour collective or social organization, or yet in a special educational establishment. However, in accordance with the Act on the General Principles of State Youth Policy, children could be placed in a special educational establishment only on the basis of a court decision, whereas previously the decision could be taken by the Commission for the Affairs of Minors.

38. Turning to the specific question on the "registration" of prostitutes, she said that the reference was to their registration by the Inspectorate for the Affairs of Minors, which recorded offences committed by minors.

39. Referring to another point that had been raised, she said that there had been 12,400 disabled children under 16 years of age in the Republic of Belarus as at 1 January 1992. There were nine institutions in the country, seven for the mentally retarded and two for the physically handicapped. A law on social protection of the disabled in the Republic of Belarus had been introduced on 1 January 1992, under which medicines were made available to disabled children at 10 per cent of their cost. Disabled children were provided with preschool education in both ordinary preschool institutions and special ones; if a child under 16 was educated at home, the parents or person acting as the parent received material assistance and privileges. Time off to care for such a child was counted as part of the total length of service.

40. The CHAIRPERSON asked whether members of the Committee wished to put any other questions on the "General measures of implementation" and "Definition of the child" sections.

41. Mrs. BELEMBAOGO requested clarification of paragraph 34 of the report, which the Belarusian delegation had said was no longer applicable. According to her understanding, the law on child labour had been revised and the minimum age for admission of children to employment had been raised from 12 to 16 years. However, she would like to know whether the law was actually being applied.

42. Mrs. SARDENBERG asked whether the law made any distinction between children born in or out of wedlock.

43. Miss MASON, referring to the application of the law on child labour, asked whether penalties were imposed for failure to respect its provisions. It would, moreover, be useful to know whether measures were being envisaged to protect children's rights in the fields of health and social security. She would also like to know at what age young people could marry and if that age was the same for boys and girls.

44. Mrs. SIVOLOBOVA (Belarus) said that there appeared to be a misunderstanding. Under previous Belarusian legislation on employment, children were authorized to work from the age of 16, if they so desired, and from the age of 14 with their parents' consent. However, when the Rights of the Child Act had been drafted, the text should have been modified to reflect the fact that education was compulsory up to the age of 15. The necessary changes had not yet been made in the Labour Code, which had remained unchanged.

45. She explained that the law specified 18 as the minimum age for marriage but noted that it was tending to decline to 15-16; in such cases the local authorities granted exemptions. Under a supplementary provision of the Civil Code, citizens of under 18 years of age who entered into marriage acquired full legal capacity thereby. Men and women enjoyed the same rights and could contract marriage at the same age.

46. Mrs. LEONOVA (Belarus) said that the Rights of the Child Act had entered into force on 14 December 1993. However, it would take time to implement, and certain amendments would have to be made to existing national legislation. In that connection, she noted that a new Code on Marriage and the Family was being drafted, under which there would no longer be any difference between children born in and out of wedlock. As for the penalties laid down for failure to comply with the law, she said that although existing legislation did not provide for any specific sanctions, article 254 of the Labour Code stated that persons in positions that entailed the education of children were to be dismissed if they committed any immoral acts.

47. Miss MASON explained that her question had concerned the measures taken to protect working children from the standpoint of health and social security. She would like to know what measures were envisaged by Belarus in tha respect. The Convention on the Rights of the Child stipulated that a child had the right to health, survival and development. She would like to know how working children were guaranteed those rights in the legislative and administrative context.

48. Mrs. SIVOLOBOVA (Belarus) said that all Belarusian children were entitled to free medical care. Children under three were even entitled to free medicines. Children received free schooling up to the age of 11 (ninth form), after which only the brighter children continued their studies in the general educational schools; the others went to vocational training schools. Under the Education Act currently in force, classes were divided into two levels (good and poor students). At the end of the school year, each case was examined individually. After the ninth form, many children did not continue their education and unfortunately did not find a job.

49. Miss MASON apologized for speaking yet again. She explained what was meant by a social security system and asked whether Belarus had a system of that kind.

50. Mrs. LEONOVA thanked Miss Mason for asking the question in specific terms and explained that although there was as yet no legislation on the subject, a social security law was at present being examined by a commission of the Supreme Council. At its thirteenth session, the Commission had adopted a law on public officials aimed at protecting their interests and made insurance compulsory for them and certain members of their families. It stipulated that if a public official was incapable of continuing to work, he was guaranteed a permanent disability allowance by the State. She noted, however, that that was the only law in that area and that the social security system was still being organized in the Republic of Belarus.

51. The CHAIRPERSON requested the Belarusian delegation to reply to the two questions in the section entitled "General principles" of the list of issues to be taken up in connection with the consideration of the initial report of Belarus:

"General principles

"Best interests of the child
(Art. 3)

"1. Please indicate in what ways the 'best interests of the child' are taken into consideration in the legislation, administrative rules, judicial proceedings.

"Respect for the views of the child
(Art. 12)

"2. How is the principle of the respect for the views of the child provided for in judicial and administrative provisions?"

52. Mrs. LEONOVA (Belarus), replying to those questions, said that priority was accorded to children's rights by the Constitution of Belarus, which stipulated that all children had equal rights. The Constitution also guaranteed the rights of the family, mothers and future generations. The Act on the General Principles of State Youth Policy provided for the protection of minors. Certain laws were more specific in according such priority. For example, article 61 of the Code on Marriage and the Family stated that the child's opinion should be taken into account in the decision whether he was to live with his father or his mother. The Citizenship Act also took the interests of the child into account (arts. 9, 10, 11 and 12).

53. The CHAIRPERSON asked members of the Committee whether they had any other questions on the "General principles" section.

54. Mrs. BELEMBAOGO asked for clarification of paragraph 38 of the report, which stated "The principle of the best interests of the child is enshrined in the aforementioned article 4 of the Rights of the Child Act, which in addition requires the State to support the activities of the various social organizations, associations and funds helping to protect children's rights and interests." She wondered whether such support was theoretical or actually forthcoming.

55. Mr. MOMBESHORA asked whether a specific study had been made of the radiation effects of the Chernobyl disaster, together with an assessment of their long-term consequences and an evaluation of the needs of the entire population. A study of that kind could be carried out on the basis of international cooperation in accordance with the Convention on the Rights of the Child.

56. Miss MASON said she was concerned by the report's superficial treatment of the "General principles" section, and in particular the "Best interests of the child" and "Respect for the views of the child". It was unfortunate that

paragraph 40 was no longer considered to be relevant. She wondered whether respect for the views of the child was perceived in Belarus to be a confrontation between children and parents or as a balanced relationship between the two, yet with parents not abdicating their parental responsibilities. It would also be useful to know from what age "Respect for the views of the child" and the "Best interests of the child" were taken into account in legal guardianship and adoption procedures, for example. She regretted that the best interests of the child were entrusted to bodies for the protection of the rights and interests of children only.

57. Mrs. SARDENBERG noted that there was still a certain amount of slippage between legislation on non-discrimination and its implementation. She therefore wondered whether there was discrimination in education, health, etc., against girls in Belarusian society. On another matter, she would like to know whether there were any minorities in Belarus, and if so, whether there was any discrimination against them.

58. Mr. KOLOSOV asked whether the growing gap between the incomes of well-to-do and poorer families might not lead to de facto discrimination against children of humble origins. For example, only parents who had the money could send their children to well-known schools or buy them theatre tickets.

59. Mr. HAMMARBERG asked how Belarus ensured to the maximum extent possible the survival and development of the child, as it was required to do under article 6 of the Convention.

60. Mrs. LEONOVA (Belarus) acknowledged that there were various social strata in Belarus and that some segments of the population enjoyed more advantages than others. For example, it was true that some minors had to work from the age of 16 because their parents could not afford to pay for higher education. However, that could not be considered discrimination since it was not institutionalized. On the contrary, the State endeavoured to reduce inequalities by guaranteeing all children access to education - especially technical and vocational - as well as free medical care, and by organizing various cultural and leisure activities for children in modest circumstances.

61. There was no discrimination whatever against the various national minorities (Russian, Ukrainian, Jewish and Polish) living in Belarus. For example, children belonging to the Polish minority, in places where it was heavily represented, could be taught in their own language at school. Moreover, such schools received State aid.

62. As regards the Chernobyl disaster, she said that foreign experts, including experts from IAEA, had taken part in studies of its consequences. A radiological centre had been established in Minsk three years earlier, in order periodically to check on the health of people who had been in the contaminated areas or who had participated in the rescue operation. A State committee had also been established to combat the effects of the disaster. For want of resources, however, Belarus could unfortunately not afford to implement all the programmes that had been prepared to combat the effects of the disaster. She added that some of the people affected by radioactive fallout, and especially the elderly and those in rural areas, had refused to be evacuated.

63. On the matter of respect for the views of the child, she explained that, in a number of cases, and especially adoption cases, the point of view of children was taken into account when they were over 10 years of age. In any event, the regulations governing adoption were very precise and strict, especially with regard to the situation of the adoptive parents, and the decision was taken by a court that gave due consideration to the best interests of the child.

64. Mrs. EUFEMIO said that she would like to know why certain persons refused to be evacuated from the contaminated zones and what steps - other than legal measures - the authorities intended to take in order to persuade them to leave.

65. Mrs. SIVOLOBOVA (Belarus) said that certain persons refused to leave because they were very attached to their physical and emotional surroundings. They were also afraid that they would have difficulty finding work elsewhere and becoming integrated into a new environment. The authorities offered them a removal allowance and financial aid to find a new dwelling, but that was not enough. Some people had even left the region and returned some time later. Those who decided to stay were assisted in various ways, and were provided with food and health care. Each year, children were offered medical treatment in another region. The health of the entire population was monitored by medical teams that were sent to the region and by care centres that had been set up in the contaminated areas.

66. The CHAIRPERSON said she would like to know whether national minorities were represented on the various bodies responsible for protecting the interests of the child, mentioned in paragraph 24 of the report, as well as on the other State bodies.

67. Mrs. SIVOLOBOVA (Belarus) said that the members of minorities participated in such bodies just like any other eligible citizen. Perhaps they were not represented proportionally to their population size, but the same might be said of women, who made up 53 per cent of the population whereas only 13 of the 360 deputies of the Supreme Soviet were women.

68. Miss MASON noted that the delegation of Belarus comprised three women.

69. The CHAIRPERSON invited members of the Committee to ask the delegation of Belarus questions on the "Civil rights and freedoms" section in the list of issues (CRC/C/5/WP.3):

"Civil rights and freedoms

"(Arts. 7, 8, 13-17 and 37 (a) of the Convention)

"1. What practical steps have been taken to ensure the implementation of the legislative and regulatory instruments mentioned in paragraph 41 of the report? Are there any specific provisions relating to children in those instruments? If so, please indicate them.

"2. In what way are the views of the child taken into consideration during the procedure for a child's acquisition or change of citizenship (para. 42 of the report)? What is the procedure when the mother of the child marries a foreigner?

"3. What is the consistency between the provision that 'Children's organizations shall not engage in political activities' and articles 13 and 2 of the Convention which mention political opinion of the child and the child's freedom to seek and impart information and ideas of all kinds (para. 45 of the report)?

"4. The report expresses disagreement with the provisions of article 16 of the Convention (the right to privacy). Since Belarus has made no reservations to the Convention, this right of the child may not be waived. Are there any prospects for the legislative protection of this right, in accordance with the age and maturity of the child (para. 48 of the report)?

"5. Is the declaration of the State's obligation to preserve the inviolability of the child's person and afford protection guaranteed by sanctions against possible cases of law violations in this field (para. 49 of the report)? What practical steps are being taken to prevent the illegal exploitation of children?

"6. Are there any sanctions envisaged in Belarusian law against infringements of rights protected by articles 31 and 32 of the Rights of the Child Act (paras. 51 and 52 of the report)?"

70. Mr. KOLOSOV said he would like to know which rights of the child were protected by the laws and regulations listed in paragraph 41 of the report. On another matter, it was stated in paragraph 45 of the report that children's organizations should not engage in political activities. Did that not infringe children's freedom of expression? Moreover, he would like to know what had replaced the various communist youth organizations, which had admittedly had many shortcomings but also certain virtues.

71. It was stated in paragraph 48 that privacy of the child's correspondence could not be guaranteed by law, since that would mean interfering in the relationship between parents and children. Might that not result in interference with the child's privacy?

72. Referring to paragraph 49 of the report, he asked what specific measures the State was taking to protect children against all forms of exploitation. The private sector, which was developing at a frenetic pace, had already become interested in child labour and everything pointed to an aggravation of the problem.

73. According to paragraph 51 of the report, article 31 of the Rights of the Child Act stated that it was not permitted to use violence against juveniles. What penalties could be imposed on those responsible for violence against young offenders?

74. The CHAIRPERSON said she would like to know what steps were being taken to prevent violence against children within the family and what penalties were laid down for those responsible for such acts.

75. Miss MASON noted that there was no mention of corporal punishment anywhere in the report. Did that mean that it was prohibited, both in school and in the family? On another matter, she agreed with Mr. Kolosov that prohibiting children's organizations from engaging in political activities amounted to infringing children's freedom of expression.

76. With reference to freedom of conscience and religion (see para. 44 of the report) she would like to know what the delegation of Belarus thought of the final comment of the Human Rights Committee to the effect that the retention of the classification of persons belonging to any religion, in particular the Jewish faith, as a distinct nationality, was without justification.

77. Mr. HAMMARBERG asked for an explanation of the prohibition against children's organizations engaging in political activities. Moreover, were there any plans to set up mechanisms to ensure that the provisions of the Rights of the Child Act prohibiting the infringement of children's dignity and physical integrity (see paras. 49 to 52 of the report) were implemented?

78. The CHAIRPERSON asked the Belarusian delegation to reply to these questions at the following meeting.

The meeting rose at 6 p.m.